

Environmental Protection Agency

§ 72.83

issuance process; except that incorporation of a reduced utilization plan that was not submitted during the permit issuance process, that does not designate a compensating unit, and that meets the requirements of § 72.43 of this part, may use the administrative permit amendment procedures under § 72.83 of this part;

(2) Changes in a substitution plan or reduced utilization plan that result in the addition of a new substitution unit or a new compensating unit under the plan;

(3) Addition of a nitrogen oxides averaging plan to a permit;

(4) Changes in a Phase I extension plan, repowering plan, nitrogen oxides averaging plan, or nitrogen oxides compliance deadline extension; and

(5) Changes in a thermal energy plan that result in any addition or subtraction of a replacement unit or any change affecting the number of allowances transferred for the replacement of thermal energy.

(c)(1) Permit modifications shall follow the permit issuance requirements of:

(i) Subparts E, F, and G of this part, where the Administrator is the permitting authority; or

(ii) Subpart G of this part, where the State is the permitting authority.

(2) For purposes of applying paragraph (c)(1) of this section, a requested permit modification shall be treated as a permit application, to the extent consistent with § 72.80 (c) and (d).

[58 FR 3650, Jan. 11, 1993, as amended at 60 FR 17114, Apr. 4, 1995; 62 FR 55485, Oct. 24, 1997]

§ 72.82 Fast-track modifications.

The following procedures shall apply to all fast-track modifications.

(a) If the Administrator is the permitting authority, the designated representative shall serve a copy of the fast-track modification on the Administrator and any person entitled to a written notice under § 72.65(b)(1)(ii) and (iii). If a State is the permitting authority, the designated representative shall serve such a copy on the Administrator, the permitting authority, and any person entitled to receive a written notice of a draft permit under the approved State operating permit pro-

gram. Within 5 business days of serving such copies, the designated representative shall also give public notice by publication in a newspaper of general circulation in the area where the sources are located or in a State publication designed to give general public notice.

(b) The public shall have a period of 30 days, commencing on the date of publication of the notice, to comment on the fast-track modification. Comments shall be submitted in writing to the permitting authority and to the designated representative.

(c) The designated representative shall submit the fast-track modification to the permitting authority on or before commencement of the public comment period.

(d) Within 30 days of the close of the public comment period if the Administrator is the permitting authority or within 90 days of the close of the public comment period if a State is the permitting authority, the permitting authority shall consider the fast-track modification and the comments received and approve, in whole or in part or with changes or conditions as appropriate, or disapprove the modification. A fast-track modification shall be subject to the same provisions for review by the Administrator and affected States as are applicable to a permit modification under § 72.81.

[58 FR 3650, Jan. 11, 1993, as amended at 62 FR 55485, Oct. 24, 1997]

§ 72.83 Administrative permit amendment.

(a) Acid Rain permit revisions that shall follow the administrative permit amendment procedures are:

(1) Activation of a compliance option conditionally approved by the permitting authority; *provided* that all requirements for activation under subpart D of this part are met;

(2) Changes in the designated representative or alternative designated representative; *provided* that a new certificate of representation is submitted;

(3) Correction of typographical errors;

(4) Changes in names, addresses, or telephone or facsimile numbers;

(5) Changes in the owners or operators; *provided* that a new certificate of